

105TH CONGRESS
1ST SESSION

H. R. 1096

To amend title 18, United States Code, to prevent nonimmigrants from possessing a firearm for other than lawful hunting or sporting purposes, and to prevent permanent resident aliens from possessing a firearm until present in the United States for 1 year.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1997

Mr. ACKERMAN introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prevent non-immigrants from possessing a firearm for other than lawful hunting or sporting purposes, and to prevent permanent resident aliens from possessing a firearm until present in the United States for 1 year.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PREVENTION OF FIREARMS POSSESSION BY**
2 **NONIMMIGRANT FOR OTHER THAN LAWFUL**
3 **HUNTING OR SPORTING PURPOSES, WITH EX-**
4 **CEPTION FOR DIPLOMATS AND THEIR**
5 **GUARDS; PREVENTION OF FIREARMS POS-**
6 **SESSION BY PERMANENT RESIDENT ALIEN**
7 **UNTIL PRESENT IN THE UNITED STATES FOR**
8 **1 YEAR.**

9 Section 922 of title 18, United States Code, is
10 amended—

11 (1) by amending subsection (d)(5) to read as
12 follows:

13 “(5) is an alien who—

14 “(A) is illegally or unlawfully in the United
15 States;

16 “(B) except as provided in subsection (y),
17 has been admitted to the United States under
18 a nonimmigrant visa (as defined in section
19 101(a)(26) of the Immigration and Nationality
20 Act (8 U.S.C. 1101(a)(26)); or

21 “(C) has been lawfully present in the
22 United States for periods totalling less than 1
23 year;”;

24 (2) by amending subsection (g)(5) to read as
25 follows:

26 “(5) who is an alien who—

1 “(A) is illegally or unlawfully in the United
2 States;

3 “(B) except as provided in subsection (y),
4 has been admitted to the United States under
5 a nonimmigrant visa (as defined in section
6 101(a)(26) of the Immigration and Nationality
7 Act (8 U.S.C. 1101(a)(26)); or

8 “(C) has been lawfully present in the Unit-
9 ed States for periods totalling less than 1
10 year;”;

11 (3) by amending subsection (s)(3)(B)(v) to read
12 as follows:

13 “(v) is not an alien who—

14 “(I) is illegally or unlawfully in the
15 United States;

16 “(II) except as provided in subsection
17 (y), has been admitted to the United
18 States under a nonimmigrant visa (as de-
19 fined in section 101(a)(26) of the Immi-
20 gration and Nationality Act (8 U.S.C.
21 1101(a)(26)); or

22 “(III) has been lawfully present in the
23 United States for periods totalling less
24 than 1 year;” and

1 (4) by inserting after subsection (x) the follow-
2 ing:

3 “(y)(1) Subsections (d)(5)(B), (g)(5)(B), and
4 (s)(3)(B)(v)(II) shall not apply to an alien who has been
5 lawfully admitted to the United States under a non-
6 immigrant visa, if the alien is—

7 “(A) admitted to the United States for lawful
8 hunting or sporting purposes; or

9 “(B) an official representative of a foreign gov-
10 ernment, or a guard employed by such a govern-
11 ment, who is—

12 “(i) accredited to the United States Gov-
13 ernment or the government’s mission to an
14 international organization having its head-
15 quarters in the United States; or

16 “(ii) en route to or from another country
17 to which the alien is accredited.

18 “(2) As used in paragraph (1):

19 “(A) The term ‘alien’ has the same meaning as
20 in section 101(a)(3) of the Immigration and Nation-
21 ality Act (8 U.S.C. 1101(a)(3)).

22 “(B) The term ‘nonimmigrant visa’ has the
23 same meaning as in section 101(a)(26) of the Immi-

1 gration and Nationality Act (8 U.S.C.
2 1101(a)(26)).”.

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